

Notice of Allowability

Application No.

10/712,267

Examiner

Tara L. Mayo

Applicant(s)

MARTIN, JEFFREY D.

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 12 January 2007.
2. ☒ The allowed claim(s) is/are 1,3,7,9-14,18-20,23-27,30,31,34,40,41 and 48-63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20060316</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dennis Rodgers on 16 March 2007.

The application has been amended as follows:

Claim 1 has been amended to read

-- A pillow, comprising:

a foam main-body,

a plurality of foam projections extending off of said foam main-body, said projections being arranged in a laterally central support characteristic zone, an edge support characteristic zone, and [a] at least one laterally intermediate support characteristic zone positioned laterally between said central support characteristic zone and said edge support characteristic zone, and said edge support characteristic zone including a ridge extension, and said at least one intermediate support characteristic zone being comprised of a plurality of independent projections having a lateral width greater than height extension off a supporting upper surface of said main-body, and wherein said ridge extension continuously extends longitudinally across a plurality of said independent projections in said at least one intermediate support characteristic zone, and said independent projections in said at least one intermediate support zone are laterally

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spaced from said ridge extension by a longitudinally extending exposed region of the upper surface of said main-body, and said [first, second and third] central, edge and laterally intermediate support characteristic zones define different support characteristic zones, and wherein said pillow has a maximum height in a central [region] support characteristic zone of said pillow, and said pillow is formed as a monolithic, visco-elastic foam body.--

In claim 3 on line 3, immediately following "said" and prior to "intermediate," --at least one-- has been inserted.

In claim 7 on line 3, immediately following "said" and prior to "intermediate," --at least one-- has been inserted.

In claim 9 on line 4, immediately following "of" and prior to "intermediate," --said-- has been inserted.

In claim 9 on line 8, "region" has been deleted and --support characteristic zone-- inserted therefor.

In claim 13 on line 2, "3.0." has been changed to --3.0--.

In claim 18 on line 2, "region" has been deleted and --support characteristic zone-- inserted therefor.

In claim 20 on line 5, "a" (second occurrence) has been deleted.

In claim 20 on line 6, "projection" has been changed to --projections--.

Claim 23 has been amended to read

-- A pillow, comprising:

a main-body,

projections arranged in a plurality of rows and extending off said main-body, and said projections including a first type of projection having a first support characteristic, a second type of projection having a second support characteristic different than said first support characteristic and a third projection type, with said first, second and third projection types being arranged on said main-body to define first, second and third different support characteristic zones, and said first and second types of projections are isolated from one another within each respective zone so as to expose regions of the main-body which extend along respective projection base-to-main-body contact edging, wherein said first and second projection types have a density range of foam forming said first and second projection types of 2.0 to 3.0 pounds per cubic foot (pcf) and wherein said first projection type is more centrally positioned than said second projection type, and wherein said third projection type includes a ridge extension extending along a forward or front longitudinal edge of said main-body past a plurality of projections in an adjacent row, and said ridge extension being uninterrupted over the longitudinal length of extension, and wherein said main-body and projections are formed of a common foam material to provide a monolithic

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foam pillow, and wherein said first and second projection types have upper exposed contact surfacing with portions of said exposed contact surfacing defining different respective height support levels in said first and second support characteristic zones.--

In claim 40 on line 2, "long" has been deleted.

In claim 40 on line 4, immediately following "the" and prior to "generally," --area of the-- has been inserted.

In claim 56 on line 1, immediately following "A" and prior to "pillow," --head-- has been inserted.

In claim 56 on line 17, immediately following "pillow" and prior to the period, --said projections of said central and intermediate support zones presenting different respective height contact support levels in said central and intermediate support zones-- has been inserted.

Claim 58 has been amended to read

-- A head pillow comprising:

a main-body having an upper surface;

a plurality of projections extending upwardly off the upper surface of said main-body and arranged in different support zones, with said support zones having different support characteristics with respect to each other and said support zones including a central support zone

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arranged in a central region located between a front edge of the pillow and a rear edge of the pillow, an edge ridge support zone extending continuously along a front edge of said pillow and comprising a ridge extension projection having an inward ridge portion extending up off from the upper surface of the main-body, and said head pillow further comprising a laterally intermediate support zone which includes a longitudinal series of projections that are positioned laterally between said central support zone and said edge ridge support zone, and wherein said inward ridge portion is laterally separated from said longitudinal series of projections in said intermediate support zone by an exposed, longitudinally extending portion of the upper surface of said main-body, and wherein said inward ridge portion extends uninterrupted across a plurality of projections in said longitudinal series of projections, and said head pillow is formed of a solid, common block of viscoelastic foam so as to provide a monolithic, viscoelastic head pillow, and [The head pillow of claim 56] wherein a maximum height head contact surface of said ridge extension lies below a maximum height head contact surface presented by said longitudinal series of projections in said intermediate support zone.--

In claim 60 on line 5, "body" has been deleted and --head-- inserted therefor.

New claim 61 has been added to read

-- The pillow of claim 23 wherein said ridge extension has an exterior side surface that curves inward in a direction toward said intermediate support zone.--.

New claim 62 has been added to read

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-- The pillow of claim 56 wherein said ridge extension has an exterior side surface that curves inward in a direction toward said intermediate support zone.--.

New claim 63 has been added to read

-- The pillow of claim 23, wherein said first support characteristic zone defines a higher exposed contact surfacing level than that of said second support characteristic zone.--.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tara L. Mayo whose telephone number is 571-272-6992. The examiner can normally be reached on Monday through Friday 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will can be reached on 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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16 March 2007


TARA L MAYO
PATENT EXAMINER